FEBRUARY 7, 1949.

Per Curiam Decision.

No. 121, Misc. TAYLOR *v.* DENNIS, WARDEN. Certiorari, 335 U. S. 890. Argued January 31–February 1, 1949. Decided February 7, 1949. *Per Curiam:* The judgment and order of the United States District Court for the Middle District of Alabama and the order of the United States Court of Appeals for the Fifth Circuit are affirmed by an equally divided Court. MR. JUSTICE BLACK took no part in the consideration or decision of this case. *Nesbitt Elmore* argued the cause for petitioner. With

him on the brief were *Thurgood Marshall, Frank D. Reeves* and *Franklin H. Williams. A. A. Carmichael,* Attorney General of Alabama, and *Bernard F. Sykes,* Assistant Attorney General, submitted on brief for respondent. [See 335 U. S. 252.]

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